Rush for the "wastelands": revaluing pastoral land in the light of renewable energy

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Slide 1: Title & self-introduction

Hello, everyone! I am Ann Waters-Bayer from Agrecol Association Germany, which is part of CELEP and the IYRP campaign. My co-author is Hussein Wario from CRDD in Kenya – also part of CELEP and the campaign. Together, we looked into how expansion of renewable or "green" energy affects pastoralists in the rangelands.

Slide 2: Introduction

We found that national governments, international bodies and the general public hold many ***misperceptions*** about rangelands – and one of the biggest is that they are "***empty wastelands***". In the past, most governments gave little attention to these areas, regarding them as low-potential and marginal. Now, however, the global climate crisis and the need to make a ***transition*** from fossil fuels to renewable energy is putting the spotlight on the vast areas where this can be produced – the rangelands have become the ***new frontier***. In many countries, these areas have been used for generations by diverse pastoralist peoples and hunter-gatherers. The ventures into renewables often ***ignore the rights*** of these traditional land users and offer them little or no compensation or benefits when the land is converted to alternative use.

Slide 3: Study of impact of large-scale green-energy (LSGE) projects on pastoralists

The *Heinrich-Böll-Stiftung*, a political foundation affiliated with the German Green Party, commissioned this study on how ***large-scale green-energy (LSGE)*** projects affect pastoralists. It wants to highlight this growing challenge with two main aims:

1. to stimulate ***policymakers*** to shape the expansion of green-energy production in the rangelands so that it does no harm; and
2. to help ***pastoralists*** and wider civil society become better prepared to deal with this expansion.

In this study, we focused on large-scale land acquisition to invest in ***solar*** and ***wind power***, not hydropower. We looked at issues of ***climate justice*** and human rights and also explored possibilities of ***co-existence*** of pastoralism and green energy.

Slide 4: Methodology/ Map of case studies

The study was based mainly on a literature review, whereby we examined some cases in more detail. My co-author also made some interviews with stakeholders in northern Kenya.

Slide 5: What are current trends in the energy sector?

Solar- and wind-power production is expanding rapidly worldwide in efforts to meet the ***global demand for carbon-free energy*** and the national commitments made in the Paris Agreement and for the SDGs to reduce CO_2 emissions. A growing number of countries have set targets for 100% renewable energy by 2030. Some of this energy will be used to produce ***green hydrogen*** to meet the increasing demand for e-fuels for industry and transport.

National governments and investors have recognised that many rangeland areas are ***excellent sites*** for producing solar and wind power. These areas experience high ***solar irradiation*** and often ***high wind velocities***; they tend to be fairly ***flat*** and are relatively ***sparsely populated***. Potential sites for green-energy projects close to cities often face resistance from inhabitants who have more ***voting*** and other influence than do people in the rangelands.

Slide 6: Threats of LSGE projects to pastoralists

Cases in ***India***, ***Kenya***, ***Morocco*** and ***Norway*** confirmed that some large-scale green-energy projects have been set up in the rangelands ***without adequate consultation*** with the local land-users and without their Free, Prior and Informed Consent. ***Common-property*** land is usually held by the State "in trust" for its citizens, but the State often does not honour traditional land rights. It uses ***narratives*** of making "productive" use of "unused" or "degraded" land to justify land grabbing for environmental purposes. Investors have acquired large areas for solar- and wind-power projects, blocking livestock access, fragmenting the grazing areas and hindering herd movements. This ***constrains*** pastoralists' ability to be ***resilient to climate change***.

Slide 7: Cases in India, Kenya, Morocco & Norway (cont'd)

Mobile pastoralism is the ***most viable agricultural production system*** in the rangelands, but many governments have little idea of what they are destroying. They greatly underestimate the ***value*** of pastoralism in terms of ***low-external-input food production*** and ***ecosystem services*** and therefore also attach little value to the ***land***. This puts pastoralist communities in a ***weak position*** to negotiate continued use of the land or compensation for its loss. In most cases, during project planning, the pastoralists were ***not well informed*** – if at all – about the plans or their own rights and were ***not well organised*** to defend their land or to negotiate terms.

When ***solar*** farms with ***ground-mounted panels*** were set up, the herders lost access to the pasture beneath and between the panels. ***Wind*** farms, in principle, should interfere less with grazing, as the turbines have a relatively ***small footprint*** in the wider landscape. However, in most cases, the herders felt that their ***land and cultural rights had been violated***, and therefore started to ***resist*** the projects.

Slide 8: But growing opposition by pastoralists

One such case is the ***Lake Turkana Wind Power*** project in Marsabit County in northern Kenya, where a company acquired 150,000 acres (about 67,000 ha) of land in 2009 to produce energy. The land had been used as pasture by ***Turkana, Samburu, Rendille*** and ***El Molo*** herders. Representatives of these communities went to court in 2014, when construction began and they became aware of the land deal. By 2019, energy from 365 turbines was being fed into the national grid. In late 2021, the court ruled that the ***land-acquisition process*** for the wind park had been ***illegal***. But by then, the wind park was in full operation. The court recommended that land acquisition be "***regularised***", i.e. the company should obtain a ***legal title*** from the Government. That process is ongoing.

Slide 9: Growing opposition by pastoralists (cont'd)

Also late last year in ***Norway***, a court ruled that the licences issued by the Government to erect wind turbines on land used by ***Sámi reindeer herders*** violated the UN's International Covenant on Civil and Political Rights, as it interfered with the Sámi's ***protected cultural practices*** of reindeer herding. The Sámi demand that the turbines be torn down. The dispute continues.

Slide 10: Conflicts led to lose–lose situations

Such conflicts led to ***lose–lose situations***. The projects deprived the customary land users of their access not only to pasture and water but also to their main source of ***energy*** (firewood), yet rarely gave them access to the electricity produced on the land. Energy companies experienced ***serious conflicts*** with local people; this led to damaged infrastructure, construction delays, higher costs or even ***project failure***. In the case of ***Kinangop*** wind park in Kenya, after strong and partly violent resistance by local people over several years, the company ***abandoned*** the project. It must be noted, however, that the opposition was mounted by ***settled crop and dairy farmers***, who tend to be better organised for such campaigns than are mobile and dispersed pastoralists.

Slide 11: Summary of negative impacts on pastoralists

Thus, we found that many green-energy projects led to ***land, water and energy dispossession***, interference in livestock ***migration routes***, disruption of ***pastoral cultures*** and ***decreased resilience*** of the pastoral systems. If ***human-rights principles*** and legal systems for recognising rights to ***common-property resources*** are not applied, a growing number of pastoralists will lose their land and water to green-energy projects and will become poorer. This will fuel more conflict, hopelessness and ***emigration***.

Slide 12: Potentials of LSGE projects for pastoralists

However, we also found cases where ***good consultation processes*** were carried out, and the energy company and the local community reached agreement on ***shared use*** of the land and water. In ***Mexico*** and northern ***Canada*** and also in one ***Kenyan*** case, local communities

benefited from green-energy projects through receiving ***equity shares*** in the company and managing ***community trust funds*** fed by energy revenues. In ***Mongolia***, during project design, the ***siting*** of solar farms took into account the herders' desire to protect high-value grazing areas and waterpoints. In the case of ***wind*** farms, the Mongolian herders have access to the pasture under the turbines and power lines, and report ***no negative impact*** on their pastoral system.

Slide 13: Co-existence of grazing & green-energy projects

Scientific studies have shown that green-energy production ***can co-exist*** with grazing and can even ***improve animal welfare***, e.g., solar panels and wind turbines can provide ***shade*** for livestock. However, the cases we found of co-existence of grazing and green energy were mainly in the ***USA*** and ***Australia***, where pastoralists are ***ranchers*** with ***private*** land ownership or land leases. They could negotiate directly with energy companies. The situation is much more ***complex*** in developing countries where pastoralists use ***common property resources*** and normally have ***no legal title*** to the land and water they use in different seasons.

Slide 14: Facilitating just transition to green energy in rangelands

In our study, we make recommendations for ***government policymakers*** in countries where green-energy projects are being set up as well as for those in ***energy-importing*** countries, like Germany. For example, the framework for procuring and ***certifying renewable energy***, including ***green hydrogen***, should require that it come from projects that meet ***global human-rights standards***. We also make recommendations for energy companies, project planners and investment banks.

Here, however, we highlight the recommendations for ***civil-society organisations*** and ***researchers***, with a view to ***protecting pastoralists' rights*** and helping them ***gain evidence*** to strengthen their position to negotiate sharing of land and water with green-energy projects and sharing of ***benefits*** from these projects.

Slide 15: Recommendations for CSOs, including pastoralist organisations

CSOs, including ***pastoralist organisations***, should:

- become more aware of the existing international ***standards*** and ***codes of business conduct***, so that they can ***exert pressure*** on governments and investors to adhere to them;
- ***strengthen capacities*** of pastoralists to negotiate with green-energy projects, e.g. in claiming ***community rights*** to the common land they have traditionally used, ***legal advice*** about their human and civil rights, and access to independent ***conflict mediation***;
- facilitate ***multistakeholder planning processes*** for land use that includes both pastoralism and renewables;
- advocate for ***policy change*** to secure pastoralist communities' ***resource-use rights***.

Slide 16: Recommendations for researchers

Researchers should:

- fill knowledge gaps on the ***multifaceted value*** of pastoralism and rangelands, generating these data ***together with pastoralists*** and making the information ***easily accessible*** to them;
- fill knowledge gaps on ***socio-economic consequences*** of green-energy development in the rangelands;
- engage in ***participatory action research*** with pastoralists facing green-energy projects to enable the pastoralists' ***legal empowerment***;
- engage in participatory action research to develop ways of ***integrating green energy and grazing***.

Slide 17: Conclusions

In the course of the world's urgently needed ***energy transition***, it is inevitable that green-energy production will expand still further into the rangelands. The challenge is to find how this can happen ***without ousting*** the pastoralists. ***Inclusive participatory design*** of energy projects within ***multifunctional land use*** could optimise overall land-use ***efficiency*** for pastoralism, biodiversity, carbon sequestration, rural economic activities and energy production. This could create ***win–win situations*** for pastoralists and green energy, but only if the ***voice and agency*** of pastoralist communities are strengthened so that they can ***negotiate good terms***.

Governments will need to manage the energy transition carefully, in ***open discussion*** with ***well-informed*** civil society and especially with the pastoralists in the rangelands. Only then can damage to their ***rights*** and ***livelihoods*** be averted and an ***equitable transition*** to renewable energy be made.

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